REMARKS

This application has been carefully considered in connection with the Examiner's Office Action dated October 17, 2007. Reconsideration and allowance are respectfully requested in view of the following.

Summary of Rejections

Claims 1-26 were pending at the time of the Office Action.

Claims 12-22 were withdrawn from further consideration.

Claims 1-11, and 23-26 were rejected under 35 USC § 103.

Summary of Response

Claims 1-5, 8-11, and 23-26 are currently amended.

Claims 12-22 are canceled.

Claims 27-37 are new.

Claims 6 and 7 remain as originally submitted.

The specification has been amended.

The Abstract has been amended.

The Drawings have been amended.

Remarks and Arguments are provided below.

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Summary of Claims Pending

Claims 1-11 and 23-37 are currently pending following this response.

Specification

The specification has been amended. Specifically, paragraphs [0033], [0057], and [0059] have been amended to correct typographical errors. This amendment is respectfully submitted not to introduce new matter, and is offered for clarification purposes.

Drawings

Applicants submit concurrently herewith, one (1) ***Replacement Sheet,*** Figure 7. The enclosed ***Replacement Sheet*** supersedes the original Fig. 7 filed by Applicant on March 30, 2004.

Figure 7 has been amended to show element 382 corresponding with the CPU, which numerical indicator was inadvertently omitted upon filing of the application on March 30, 2004. This amendment is respectfully submitted not to introduce new matter, and is offered for clarification purposes. Support may be found in paragraph [0057] of the specification as originally filed.

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Abstract

The Abstract has been amended to correct typographical errors. This amendment is respectfully submitted not to introduce new matter, and is offered for clarification purposes.

Examiner Interview

Applicant thanks Examiner Mirzadegan for his telephone call detailing the restriction requirement. The inventions were described as Group 1, Claims 1-11, 23-26, drawn to a system for accessing content secured according to differing digital rights management protocols, classified in class 709, subclass 229; and Group 2, Claims 12-22, drawn to wirelessly downloading computer programs, classified in class 717, subclass 173. During the interview with Steven Funk, Applicant elected without traverse to prosecute the invention of Group 1, claims 1-11 and 23-26. Claims 12-22 were withdrawn and are herein canceled.

Applicant Initiated Interview

Applicant thanks SPE Vaughn and Examiner Mirzadegan for their time and consideration of the proposed amendments and arguments presented in the interview on December 4, 2007. In the interview, SPE Vaughn and Examiner Mirzadegan noted that the proposed amendments and arguments may overcome the current grounds of rejection, however, further consideration of the applied art and a further search may be

required upon receiving this response. SPE Vaughn and Examiner Mirzadegan also noted that a further restriction of the claims may be required upon receiving this response.

Response to Rejections

Digital rights management technology addresses the need to identify, protect, monitor, and track digital materials and their use. Digital materials may be referred to as content and may include text content, audio content, video content, music content, audio/video content, and encrypted content. With several competing digital rights management standards or protocols deployed to secure and manage access to content, the need for devices to interoperate with different digital rights management protocols arises. For example, if a listener attempts to download a music audio to an ODRL based playback device from a content provider who has chosen to protect and manage content using XrML, the attempt will fail. Intelligent devices with large resources may be able to store digital rights management client programs to interact with several prevalent digital rights management protocols concurrently. Mobile devices or low cost devices, however, may have limited memory resources and may be capable of storing only one DRM client program supporting a single DRM protocol.

A digital rights management integrated access system may include a translation server coupled between components that communicate requests and responses according to different digital rights management protocols. The translation server maps,

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mediates, or translates the requests received according to one digital rights management protocol into requests of another digital rights management protocol. Similarly, the translation server maps, mediates, or translates the responses received according to one digital rights management protocol into responses of another digital rights management protocol. Accordingly, the translation server allows for devices that present content according to one digital rights management protocol to communicate with and receive content from content providers that use a different digital rights management protocol.

Another digital rights management integrated access system includes a digital rights management protocol manager in communication with a digital rights management server. The digital rights management protocol manager may communicate with the digital rights management server to load different digital rights management protocols. When the digital rights management protocol manager is deployed on a mobile device, resources may be limited and less than all of the digital rights management protocols may be stored on the mobile device at a time. Accordingly, if a desired digital rights management protocol is not already loaded on the mobile device, the digital rights management protocol manager may retrieve a desired digital rights management protocol from the digital rights management server. The digital rights management protocol manager may then swap out or overwrite undesired digital rights management protocols stored on the mobile device with the desired digital rights management protocol.

A further digital rights management integrated access system may include a multi-protocol content server that serves content according to a plurality of digital rights

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management protocols. Accordingly, a first client that presents content according to a first digital rights management protocol may receive content according to the first digital rights management protocol. Similarly, a second client that presents content according to a second digital rights management protocol may receive the same content according to the second digital rights management protocol. Therefore, the multi-protocol content server bears the burden for providing content in the appropriate digital rights management protocol.

Applicant respectfully submits that the applied art does not teach or suggest the translation server, the digital rights management protocol manager, or the multi-protocol content server as described above and recited in the claims.

The prior art system of Figure 1 in Applicant's disclosure discloses that an ODRL client 12 communicates with an ORDL content server 16 to receive content and an XrML client 18 communicates with an XrML content server 22 to receive content. The prior art system of Figure 1 in Applicant's disclosure does not provide any teaching or suggestion of the translation server such that the ODRL client 12 may receive and present content from the XrML content server 22 or the XrML client 18 may receive and present content from the ODRL content server 16. Also, the prior art system of Figure 1 in Applicant's disclosure does not provide any teaching or suggestion of the digital rights management protocol manager such that if the ORDL client 12 were to access content from the XrML content server 22, the XrML digital rights management protocol is loaded into the ORDL client 12 for presenting the XrML content, for example.

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Further, the prior art system of Figure 1 in Applicant's disclosure does not provide any teaching or suggestion of a multi-protocol content server such that the ORDL client 12 and the XrML client 18 may receive ORDL content and XrML content, respectively, from the same content server.

Arai discloses in paragraph 0008, "[I]t is desired that any node can communicate with any other node in the network, with or without going through a gateway. ... However, small specialized nodes ... have limited storage and processor capabilities. This makes it difficult to implement all of the necessary protocol stack." In other words, the small specialized nodes may implement the network layers 402 of the protocol stack, but may not have the resources to also implement all of the application protocol layers 401 used in communication by elements in the network. Arai discloses that the application protocol layers 401 that may be used in communication may include FTP, TELNET, SOAP, uPnP, and HTTP. Arai discloses in paragraph 0019 and 0020 that a converter node may be used to translate between application layer protocols to enable communication between two nodes that use different application layer protocols. For example, a first node may communicate using a TELNET application layer protocol and a second node may communicate using an HTTP application layer protocol. The conversion node may translate a TELNET request message received from the first node into an HTTP request message for delivery to the second node.

Arai does not provide any teaching or suggestion for the conversion node to map, mediate, or translate content and communications between digital rights

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management protocols. Further, Arai does not provide any teaching or suggestion of the digital rights management protocol manager such that a node may download and swap or overwrite a currently stored application layer protocol with a desired application layer protocol.

Guck discloses a "multi-user network system whereby a client-user is capable of authoring text, graphics, or messages which can be distributed to multiple receiver terminals regardless of the format and protocol requirements that these receiver terminal applications are subject to" (Guck: column 2, lines 17-22). Guck discloses that the authored documents may be stored as objects within a server (Guck: column 4, lines 1-31). Guck further discloses, "When a User connects to a server using a particular protocol and seeks a document ... the server finds the corresponding resource object and, if necessary can dynamically modify its characteristics to accommodate formatting requirements requested by the User and/or formatting requirements required by the protocol being used [to connect to the server]. A document can be dynamically converted into a wide range of formats and accessed via a wide range of protocols without the document's author having to anticipate the formats and protocols that users may require ahead of time" (Guck: column 4, lines 32-44). Guck does not provide any teaching or suggestion of the multi-protocol server that can provide the same content according to multiple digital rights management protocols.

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These distinctions, as well as others, will be discussed in greater detail in the analysis of the present claims that follows.

Response to Rejections under Section 103

Claim 1:

Claim 1 was rejected under 35 USC § 103(a) as being unpatentable over Applicant's own Admitted Prior Art (hereinafter APA) in view of Arai, U.S. Publication No. 2004/0032881 (hereinafter Arai), and further in view of Panasyuk, et al., U.S. Publication No. 2003/0163569 (hereinafter Panasyuk).

I.   APA in view of Arai and further in view of Panasyuk does not teach or suggest to map between a first digital rights management protocol and a second digital rights management protocol.

Claim 1 recites, "the mediation component operable to ... map the requests for the second content to the second digital rights management protocol, ... map the second rights statement and the second content to the first digital rights management protocol."

On page 4, the Office Action states, "APA does not explicitly teach ... a mediation component ... operable to ... map the second content according to the first protocol for use by the client component." Arai was relied on to teach the claimed mediation component. As discussed above, Arai discloses in paragraphs 0019 and

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0020 that a converter node 202 may convert between application layer protocols using a conversion table 300 stored on an application node 203 such that a requesting node 201 may communicate with the application node 203. Arai only discloses conversion between communication application layer protocols, such as between FTP, TELNET, SOAP, uPnP, and HTTP. Arai does not teach or suggest mapping or converting between digital rights management protocols.

II.   APA in view of Arai and further in view of Panasyuk does not teach or suggest the communication sequence of the claimed mediation component.

Claim 1 has been amended herein to further clarify that the mediation component acts as an intermediary between the client and the second content server. As amended, the mediation component receives requests from the client and sends mapped rights statements and content to the client. The mediation component also sends mapped requests to the second content server and receives rights statements and content from the second content server.

In contrast, Arai discloses in paragraph 0020, "the converter always sends a translated message to the same exact node from which it received the message." Therefore, Arai does not disclose the claimed communication sequence.

For at least the reasons established above in sections I and II, Applicant respectfully submits that independent Claim 1 is not taught or suggested by APA in

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view of Arai and further in view of Panasyuk respectfully requests allowance of this claim.

Claims Depending From Claim 1:

Claims 2-8 were rejected under 35 USC § 103(a) as being unpatentable over APA in view of Arai and further in view of Panasyuk.

Dependent Claims 2-8 depend directly or indirectly from independent Claim 1 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in sections I and II above, Applicant respectfully submits that Claims 2-8 are not taught or suggested by APA in view of Arai and further in view of Panasyuk and respectfully requests allowance of these claims.

Claim 9:

Claim 9 was rejected under 35 USC § 103(a) as being unpatentable over APA in view of Arai and further in view of Panasyuk.

III.   APA in view of Arai and further in view of Panasyuk does not teach or suggest a swapping component.

Claim 9 has been amended herein to recite, "a swapping component operable to provide any of the plurality of the applications to the mobile device, each of the plurality of applications operable to present the content with the content presentation device according to a corresponding one of a plurality of content management protocols."

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Claim 9 has further been amended to recite, "wherein the swapping component provides a first of the plurality of applications to present the content with the content presentation device according to the first of the plurality of content management protocols."

As described above, mobile devices may have limited resources and less than all of the plurality of content management protocols may be stored on the mobile device at a time. Accordingly, if a desired content management protocol is not already loaded on the mobile device, the swapping component may provide the desired content management protocol to the mobile device. The mobile device may then swap out or overwrite undesired digital rights management protocols stored on the mobile device with the desired digital rights management protocol.

Applicant respectfully submits that APA in view of Arai and further in view of Panasyuk does not teach or suggest a swapping component that provides an application to a mobile device to present content according to a corresponding content management protocol, as claimed.

Claims Depending From Claim 9:

Claims 10 and 11 were rejected under 35 USC § 103(a) as being unpatentable over APA in view of Arai and further in view of Panasyuk.

Claims 27-29 are added by this amendment and are respectfully submitted not to add any new matter. Support may be found in the specification as originally filed in at least paragraphs 0033-0044.

Dependent Claims 10-11 and 27-29 depend directly or indirectly from independent Claim 9 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section III above, Applicant respectfully submits that Claims 10-11 and 27-29 are not taught or suggested by APA in view of Arai and further in view of Panasyuk respectfully requests allowance of these claims.

Claim 23:

Claim 23 was rejected under 35 USC § 103(a) as being unpatentable over APA in view of Arai in view of Panasyuk and further in view of Guck, U.S. Patent No. 5,848,416 (hereinafter Guck).

IV.   APA in view of Arai in view of Panasyuk and further in view of Guck does not teach or suggest the claimed multi-protocol content server.

Claim 23 has been amended to further clarify that the multi-protocol content server provides content according to different digital rights management protocols. Different clients may present the content according the different digital rights management protocols. Therefore the multi-protocol content server may provide content to the different clients in accordance with the digital rights management protocol used by the client.

As discussed above, Guck discloses documents may be accessed through different communication protocols and formatted in different formats. Guck does not teach or suggest receiving requests and returning content in accordance with multiple digital rights management protocols.

For at least the reasons established above in section IV, Applicant respectfully submits that independent Claim 23 is not taught or suggested by APA in view of Arai n view of Panasyuk and further in view of Guck and respectfully requests allowance of this claim.

Claims Depending From Claim 23:

Claims 24-26 were rejected under 35 USC § 103(a) as being unpatentable over APA in view of Arai in view of Panasyuk and further in view of Guck.

Dependent Claims 24-26, depend directly or indirectly from independent Claim 23 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section IV above, Applicant respectfully submits that Claims 24-26 are not taught or suggested by APA in view of Arai in view of Panasyuk and further in view of Guck and respectfully requests allowance of these claims.

New Claims 30-33:

Claims 30-33 are added by this amendment and are respectfully submitted not to add any new matter. Support may be found in the specification as originally filed in at least paragraphs 0027-0030.

Claims 30-33 include limitations substantially similar to the limitations discussed in sections I and II above. For at least the reasons established above in sections I and II, Applicant respectfully submits that Claims 30-33 are not taught or suggested by the applied art and respectfully requests allowance of these claims.

New Claims 34-37:

Claims 34-37 are added by this amendment and are respectfully submitted not to add any new matter. Support may be found in the specification as originally filed in at least paragraphs 0033-0038.

Claims 34-37 include limitations substantially similar to the limitations discussed in section III above. For at least the reasons established above in section III Applicant respectfully submits that Claims 34-37 are not taught or suggested by the applied art and respectfully requests allowance of these claims.

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Conclusion

Applicant respectfully submits that the present application is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

Date: January 17, 2008

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